

REMARKS

Claims 2, 3, 19, 20, 36 and 37 have each been amended to positively state that the "sorting" is positively performed. It is believed that these amendments to the claims remove the rejection thereof under 325 U.S.C. 112, second paragraph.

Likewise, claims 14 and 31 have been amended to indicate that the referenced processing does, in fact, occur. It is believed that these amendments remove the section 112 rejections.

All claims have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Blossman et al*, in view of *Using Microsoft Outlook 98 ("Outlook 98")*. It is respectfully submitted that the basis of rejection should be under section 102, since *Blossman et al* does, indeed, teach the use of Internet e-mail means for the transmission and receipt of the disclosed reports to the customer. See, for example, Fig. 1, and the reference to "INTERNET 95" and "E-MAILER CONTROLLER (PC) 90", and the discussion thereof at Col. 7, ls. 40-57; and Col. 10, ls. 44/58.

Certain of the claims, as indicated, are currently amended to further define the invention and distinguish the respective claims over the cited references, as respectively applied by the Examiner. Reconsideration is requested.

Furthermore, the *Blossman et al* reference is inapplicable as the reference for each and every one of the claims set forth herein in view of the opinion of John C. Hughes, an individual skilled in the art as set forth in and for the reasons presented in Declaration of John C. Hughes. The Examiners attention and consideration of such declaration is respectfully requested.

The primary reference *Blossman et al* teaches a computerized system and method for electronic transmission and receipt via Internet mail of a financial, i.e. banking institutions

statement to a customer with photographic imaging of cancelled checks and the like. Applicants invention, as exemplified, for example, in currently amended Claim 1 differs substantially from the Blossman et al disclosure. First, applicants invention relies on the foundation of data pre-selected by the customer from all of the financial data available by the financial institution and within the computer system. Secondly, from the financial data in the computer system a step and means are provided for the building of an electronic report file from the financial data, as pre-selected by the customer. Thirdly, the ultimately, formatted pre-selected data is formatted into a customer preference statement and transmitted to the customer at real time increments which are designated by the customer, and not the financial institution. This step and means are not taught by the Blossman et al reference.

There is ample support in the specification for the language and recitals as set forth in the currently amended claims. For example, figure 1 shows an electronic statement which is generated on any frequency desired by the customer as opposed to a periodic or monthly statement selected by the financial institution such as in Blossman et al. Furthermore, Figure 5 discloses a customer preference program on an input screen. Fig. 5 in the present application clearly shows that the transmitted formatted pre-selected data has been created to fulfill customer preferences. In other words, the customer can have the information generated and transmitted on days or times other than when the financial institutions host computer system generates a periodic statement. The present method and devise is vastly different from that disclosed in Blossman et al because it requires an additional step and means for providing data other than within a regular consolidated or unconsolidated periodic statement generated by the financial institution.

Figure 15 further supplies support for the step of building the data base from the TBA 1005 and 007 (TBA1005.)PRN and TBA1007.PRN), i.e. internal trial balance reports. Likewise, Figure 17 shows the extraction and assimilation from the posting journal PJL001.

Further support could be found in the disclosure throughout the pages (unnumbered) for the source code. Those pages are attached to the declaration of John C. Hughes, enclosed with informing a part of this Amendment.

This response is intended to be a complete response to each and every bases of rejection of the examiner of each of the respected claims. The reference to currently amended claim 1 is believed to demonstrate patentably distinguishable subject matter as set forth in all claims rejected herein. Accordingly, in view of the amendments and discussion herein, applicant respectively believes that an overcoming response has been made for each of the claims under rejection. Reconsideration of such claims is requested.

It is believed that all the claims, as originally presented and currently amended now are in condition for immediately allowance. Accordingly, an early Notice Allowance is solicited.

Respectfully submitted,

William C. Norvell, Jr.

WILLIAM C. NORVELL, JR.

Registration No. 26, 212

Beirne, Maynard & Parsons, L.L.P.

1300 Post Oak Blvd., Suite 2500

Houston, Texas 77056-3000

Telephone: 713.960.7362

Facsimile: 713.960.1527